

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 04-80745

HON. JULIAN ABELE COOK, JR.

v.

D-1 NATHAN PAYNE,

Defendant.

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ORDER ADJOURNING EVIDENTIARY HEARING

Upon the reading and filing of the Stipulation of all parties, and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the Evidentiary Hearing shall be adjourned until **JANUARY 5, 2005** at **9:00 a.m.** due to the unavailability of an indispensable witness.

The parties further stipulate and agree that the time period for the adjournment shall be excludable in computing time within which the trial in this matter must commence pursuant to 18 U.S.C. § 3161(h)(3)(A) and that the ends of justice outweigh the best interests of the public and the defendant in a speedy trial.

s/ JULIAN ABELE COOK, JR.
United States District Court Judge